

STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
BOARD OF NURSING

IN THE MATTER OF THE  
LICENSE OF  
  
**LATOSHA N. MATHIS, L.P.N.**  
**License # 26NP06512400**  
  
TO PRACTICE NURSING IN THE  
STATE OF NEW JERSEY

Administrative Action

**FINAL ORDER  
OF DISCIPLINE**

This matter was opened to the New Jersey State Board of Nursing ("the Board") upon receipt of information which the Board has reviewed and upon which the following findings of fact and conclusions of law are made:

**FINDINGS OF FACT**

1. Latosha N. Mathis ("Respondent") is a Licensed practical Nurse (LPN) in the State of New Jersey, and has been a licensee at all times relevant hereto.
2. Respondent was asked by the Board to document all nursing continuing education completed in satisfaction of her continuing education obligation for the June 1, 2010 – May 31, 2012 licensing cycle, but was unable to do so.
3. Subsequently, Respondent provided documentation, in the form of certificates of completion<sup>1</sup> of sixty (60) contact hours of nursing continuing education completed in belated satisfaction of her continuing education obligation for the June 1,

<sup>1</sup> Only the transcripts, as opposed to the certificates of completion, are included as an exhibit for the sake of convenience.

2010 –May 31, 2012 and June 1, 2012 – May 31, 2014 licensing cycles, all of which were completed in November of 2014.

3. Respondent indicated on her 2012 and 2014 renewal applications that she would have completed all required continuing education for the June 1, 2010 – May 31, 2012 renewal period and the June 1, 2012 – May 31, 2014 renewal period by May 31, 2012 and May 31, 2014, respectively.

### **CONCLUSIONS OF LAW**

Respondent's failure to demonstrate timely completion of nursing continuing education requirements for the June 1, 2010 – May 31, 2012 renewal period and the June 1, 2012 – May 31, 2014 renewal period constitutes a violation of N.J.A.C. 13:37-5.3, subjecting Respondent to sanctions pursuant to N.J.S.A. 45:1-21(e) and (h).

Respondent's indication on her 2012 and 2014 renewal applications that she would complete all required continuing education for the preceding renewal period by May 31, 2012 and May 31, 2014, respectively, constitutes misrepresentation in violation of N.J.S.A. 45:1-21(b).

Based on the foregoing findings and conclusions, a Provisional Order of Discipline seeking a reprimand and a two hundred and fifty dollar (\$250) civil penalty was entered on December 24, 2014. Copies were served upon Respondent via regular and certified mail. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the thirtieth day following entry unless Respondent requested a modification or dismissal of the stated findings of fact and conclusions of law by setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence

supporting Respondent's request for consideration and reasons therefor.

Respondent timely replied to the Provisional Order of Discipline, through counsel. Respondent maintained that as a single parent of young children, she simply had too many other personal obligations and did not get her continuing education done for four years and two biennial renewal periods. We noted that at no time during those four years did Respondent seek a waiver of the continuing education requirements and it is unlikely that her personal obligations would have met the regulatory requirement of hardship such as severe illness, disability or military service found in N.J.A.C. 13:37-5.3. Respondent requests that the Board forego disciplinary action so that she may have a clean record.

The Board reviewed Respondent's submissions and determined that further proceedings were not necessary and that no material discrepancies had been raised. The Board was not persuaded that the submitted materials merited further consideration, as Respondent did not dispute the findings of fact or conclusions of law. Respondent acknowledges that she did not complete her continuing education for two consecutive biennial renewal periods. The Board has already exercised leniency by only imposing a two hundred and fifty dollar (\$250) civil penalty, as opposed to a five hundred dollar (\$500) civil penalty which would have been two hundred and fifty dollars \$250 for each biennial period. Similarly, the Board finds that the reprimand is warranted as Respondent engaged in misrepresentation on at least two biennial renewal applications. She answered, twice, that she had or would complete the required continuing education when she had not done so.

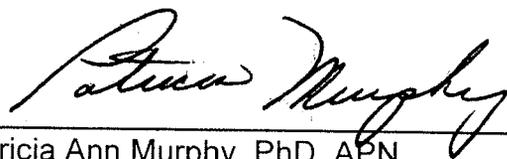
ACCORDINGLY, IT IS on this <sup>7<sup>th</sup></sup> day of *May*, 2015,

**ORDERED that:**

1. A reprimand is hereby imposed for Respondent's violation of N.J.S.A. 45:1-21(b).
2. A two hundred and fifty dollar (\$250) civil penalty is hereby imposed for the violation of N.J.A.C. 13:37-5.3. Payment shall be made by certified check, bank cashier check, or money order payable to "State of New Jersey," or by wire transfer, direct deposit, or credit card payment delivered or mailed to George Hebert, Executive Director, State Board of Nursing, P.O. Box 45010, Newark, New Jersey 07101. Any other form of payment will be rejected and will be returned to the party making the payment. Payment shall be made no later than twenty-one (21) days after the date of filing of this Final Order of Discipline. In the event Respondent fails to make a timely payment, a certificate of debt shall be filed in accordance with N.J.S.A. 45:1-24 and the Board may bring such other proceedings as authorized by law.
3. Continuing education completed after May 31, 2014 and applied to cure the deficiencies of the previous two biennial renewal periods (the 60 hours completed in November 2014) shall not also be used to satisfy the requirements of the current biennial renewal period. Respondent shall complete an additional 30 hours of continuing education prior to May 31, 2016 to satisfy the requirements of the June 1, 2014 – May 31, 2016 biennial renewal period.

NEW JERSEY STATE BOARD OF NURSING

By:



Patricia Ann Murphy, PhD, APN  
Board President